

REMARKS

In response to the Office Action mailed February 28, 2008, the applicants offer the following remarks even though the examiner has acknowledged the presence of some allowable subject matter in the claims. The applicants thank the examiner for acknowledging the allowable subject matter, but respectfully request for further consideration of the claims of the application.

35 U.S.C. § 112 Rejections

The Examiner has rejected claims 36 and 37 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 29 is amended to clarify the subject matter being claimed for the present invention. In the aforementioned claims, it is now stated that the acoustic extension is external of an enclosure of the speaker. Support for this can be found in Figure 2 and paragraph 0046 of the specification (US 2005/0163334). Since claims 36 and 37 depend on claim 29, there is now antecedence basis for the limitation "enclosure" with the amendment made to claim 29.

Applicants, accordingly, respectfully request withdrawal of the rejections under 35 U.S.C. § 112.

35 U.S.C. § 102 Rejections

The Examiner rejects claims 29, 30, 32, 35 and 38 under 35 U.S.C. § 102(b) as being anticipated by Pappanikolaou (US 4,168,761, hereinafter "Pappanikolaou").

Pappanikolaou teaches a symmetrical air friction enclosure for speakers. Referring to column 5, lines 35 to 39 of the description, Pappanikolaou discloses a speaker system having a conventional loudspeaker in an enclosure. Pappanikolaou discloses partitions and aperture means arranged to form at least one "tortuous path taken by the backwave as it propagates between the initial chamber and the outlet port" (Figure 4 and column 7 line 21 to 24). The arrangement of the partitions increases the effective overall length for the backwave (column 7 line 61 to 64). It should also be noted that Pappanikolaou discloses an enclosure to minimize enclosure volume (column 7 line 64 to 66). However, the labyrinth speaker system disclosed in Pappanikolaou relate to internal partitions. This differs from the invention claimed in claim 29.

The invention as defined in claim 29 describes the feature of the acoustic extension being external of an enclosure of the speaker. An advantage of the invention is that by providing an extension external of the speaker, there is an air gap between a free end of the intermediate column and the outer wall resulting in greater air volume. Furthermore, the plurality of columns also increases the air volume of the acoustic extension. Speakers generate sound by moving air. As

such, there is a greater volume of air for the speaker driver to move in order to drive a low frequency response.

Pappanikolaou does not disclose that the air friction enclosure is external of the speaker enclosure and does not disclose increasing enclosure volume.

As such, Pappanikolaou does not anticipate claim 29 and should be deemed to be novel. Since claims 30, 32, 35 and 38 are dependent on claim 29, they should correspondingly be deemed to be novel. Applicants, accordingly, respectfully request withdrawal of the rejections under 35 U.S.C. § 102.

35 U.S.C. § 103 Rejections

The Examiner has rejected claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Pappanikolaou in view of Takenaka (US 6078676, hereinafter "Takenaka").

The Examiner combines Pappanikolaou with Takenaka to reject claims 16 and 34 for being obvious. Claim 30 inherits all the limitations of claim 29. As explained earlier, Pappanikolaou does not anticipate claim 29. As such, Pappanikolaou should not anticipate any claim dependent on claim 29.

Pappanikolaou teaches in column 7, lines 64 to 69 to column 8, lines 1 to 2 increasing the internal surface area for the backwave and increasing the number of bends to have the effect of an increased overall length for the backwave. Pappanikolaou teaches that optimization of the effective length of the path for

the backwave permits the enclosure to be minimized in terms of volume. This teaches away from the invention as the invention describes increasing an air volume of the enclosure.

Takenaka discloses a speaker system with a three dimensional spiral sound passage. The spiral sound passage is mounted within the speaker enclosure. Takenaka does not disclose or suggest a passage external the speaker enclosure.

With a lack of disclosure in the teachings of reading Takenaka with Pappanikolaou, a skilled person will not take steps to arrive at the present invention as claimed in claims 16 and 34.

As such, claims 16 and 34 dependent on claims 1 and 29 respectively are not obvious over Takenaka and Pappanikolaou, individually or in combination. Applicants, accordingly, respectfully request withdrawal of the rejections under 35 U.S.C. § 103.

Allowed / Allowable Subject Matter

The Examiner's allowance of independent claims 1, 8, 33 and 39, as well as any claim dependent thereon is noted with appreciation.

Applicant respectfully submits that the present application is in condition for allowance, and respectfully requests the early issuance of a Notice of Allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Stephen M. De Klerk at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,
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